

Application Serial No. 10/736,518  
Reply to Office Action dated August 18, 2006

**REMARKS/ARGUMENTS**

Initially, the Applicant would like to thank the Examiner for taking the time to discuss the outstanding Office Action with the Applicant's representative during the telephone interview conducted on October 25, 2006. During the interview, the Examiner and the Applicant's representative discussed the application of Kauffman et al. (U.S. Patent No. 3,466,109), Kelsey (U.S. Patent No. 6,289,908) and Mazza (U.S. Patent No. 3,586,011) to the independent claims of the present invention.

In general, the present invention, as covered by independent claim 2, is directed to a dishwasher having a tub that defines a washing chamber. The tub is provided with a partition wall that extends downward from a top wall at a position between opposing side walls dividing the washing chamber into first and second wash zones. First and second dish racks are movably supported between the partition wall and respective ones of the opposing side walls. Independent claim 2 defines the first dish rack as having a first width and the second dish rack as having a second width, with the first width being at least double the second width.

In rejecting claim 2, the Examiner relies upon Kauffman et al. in combination with Kelsey. The Applicant respectfully submits that neither of the prior art references teaches a single washing chamber that is divided into first and second wash zones by a partition wall. While Kauffman et al. does teach a bracket 65 fastened by suitable means, such as welds, to an interior of a cabinet top wall 12, bracket 65 merely defines structure that supports an inner slide means 64 that, in turn, supports a pair of dishracks. Contrary to the position taken by the Examiner, bracket 65 is not a partition wall that defines first and second wash zones. That is, Kauffman et al. has a single wash arm which performs a washing operation within the entirety of chamber 14. Chamber 14 is a single wash zone. At no point is there any teaching or suggestion to dividing chamber 14 into multiple wash zones. However, in order to further the prosecution by emphasizing this distinction, the Applicant has agreed to amend claim 2 to add first and second wash arms that are positioned to direct washing fluid to respective ones of the first and second wash zones.

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The first and second wash arms further clarify that the partition wall establishes first and second wash zones and is not simply provided to support the first and second dish racks. This change to claim 2 required minor amendments to claims 6, 7 and 9 and the cancellation of claim 8.

Independent claim 12 is directed to particulars of a door assembly mounted for movement relative to a tub in order to selectively seal a washing chamber, with the door assembly including an inner panel formed with first and second outer guide tracks and a first intermediate guide track. Claim 12 also requires first and second lower dish racks movably supported between recessed positions, wherein the first and second lower dish racks are arranged within the washing chamber, and extended positions, wherein the first and second lower dish racks are supported upon the intermediate guide track and a respective one of the first and second outer guide tracks. During the interview, the Examiner agreed that none of the prior art teaches a dishwasher having two lower dish racks. Moreover, the Examiner agreed that none of the prior art teaches a single wash chamber having multiple dish racks that is closed by a single door, with the door supporting the multiple dish racks when the dish racks are extended from the washing chamber.

Claim 18 focuses on a controller portion of the dishwasher. More specifically, the controller is configured to selectively perform a washing operation in either or both of first and second wash zones of a single washing chamber. That is, the dishwasher can be operated such that a washing operation is carried out in the first wash zone, the second wash zone or both of the first and second wash zones. If, for example, a user has a small load of dishes, one or the other of the first and second wash zones can be employed. If a large load of dishes requires washing, a washing operation can be performed in both of first and second wash zones.

In rejecting claim 18, the Examiner relies upon Mazza which is directed to a dishwasher having multiple wash chambers 11 and 12. However, contrary to the position taken by the Examiner, Mazza does not teach a controller for selectively performing a

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washing operation in either or both of wash zones 11 and 12. At best, Mazza performs a washing operation in both zones 11 and 12 and, upon reaching a certain temperature of washing fluid in zone 12, a valve 21 is operated to cut-off feed to zone 12. The temperature of the washing solution is increased in zone 12, while washing continues on, for example, sauce pans contained in zone 11. Thereafter, the washing operation is completed in both zones. Thus, Mazza at all times washes in both zones, with one zone being washed at a higher temperature than the other zone during a portion of the washing operation. Mazza always starts washing in both zones 11 and 12, continues actively washing in only a single zone for an intermediate portion of the washing operation and then completes the washing operation in both zones. At no point can a user selectively initiate a washing operation in zone 11, zone 12 or both zones 11 and 12 as required by claim 18. In particular, zone 12 can never be operated alone.

The Applicant further submits that none of the prior art, when taken singly or in combination, teaches many of the particulars presented in the dependent claims of the application. For example, claims 3, 14 and 22 require that the first width of the dish rack is approximately 20" and the width of the second dish rack is appropriately 7". Claims 4 and 20 add third and fourth dish racks having respective widths similar to that of the first and second dish racks. None of the prior art teaches four dish racks in a single dishwasher. Claims 6, 7, 9 and 24-26 are directed to particulars of wash arms employed in connection with the dishwasher. None of the prior art of the Office Action even remotely addresses these particulars. Finally, the Applicant submits that, given the statements made by the Examiner in the interview summary sheet indicating that none of the prior art teaches the door assembly controller and washing chamber having multiple zones, claim 1 should also be allowable.

Based on the above remarks, the amendments to the claims and the agreements reached with the Examiner during the interview, it is respectfully submitted that the present invention is patentably defined over the prior art such that allowance of all claims and passage of the application to issue are respectfully requested. If the Examiner should have any additional questions or concerns regarding the allowance of this application, she

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is cordially invited to contact the undersigned at the number provided below in an effort to further prosecution on this case.

Respectfully submitted,



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